



## ORDINARY COUNCIL MEETING

### NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

Notice is given pursuant to the provisions under Section 83 of the *Local Government Act 1999* that the next meeting of the Council will be held on:

**Tuesday 28 February 2023**

**6.30pm**

**63 Mt Barker Road Stirling**

A copy of the Agenda for this meeting is supplied under Section 83 of the Act.

Meetings of the Council are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 84 of the Act.

A handwritten signature in blue ink, appearing to read 'David Waters', with a long horizontal flourish extending to the right.

**David Waters**  
**Chief Executive Officer**



## **ORDINARY COUNCIL MEETING**

**AGENDA FOR MEETING  
Tuesday 28 February 2023  
6.30pm  
63 Mt Barker Road Stirling**

### **ORDER OF BUSINESS**

**1. COMMENCEMENT**

**2. OPENING STATEMENT**

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

**3. APOLOGIES/LEAVE OF ABSENCE**

- 3.1. Apology  
Apologies were received from .....
- 3.2. Leave of Absence
- 3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 14 February 2023  
*That the minutes of the ordinary meeting held on 14 February 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.*

**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**6. MAYOR'S OPENING REMARKS**

**7. QUESTIONS ADJOURNED/LYING ON THE TABLE**

- 7.1. Questions Adjourned  
Nil
- 7.2. Questions Lying on the Table  
Nil

**8. PETITIONS / DEPUTATIONS / PUBLIC FORUM**

- 8.1. Petitions  
Nil
- 8.2. Deputations
  - 8.2.1. David Turner – becoming CFS friendly
  - 8.2.2. Oliver Ciaravolo – tree safety & bins
- 8.3. Public Forum

**9. PRESENTATIONS (by exception)**

Nil

**10. QUESTIONS ON NOTICE**

Nil

**11. MOTIONS ON NOTICE**

- 11.1. National Plan to End Violence Against Women and Children 2022-2032 (Cr Louise Pascale)
  - 1. *Notes the National Plan to End Violence Against Women and Children 2022-2032 (Appendix 1);*
  - 2. *Recognises that violence against women and children is one of the most widespread violations of human rights in our community;*
  - 3. *Is committed, where possible, to helping its community end violence against women and children in the Adelaide Hills Council region;*
  - 4. *Requests that the CEO implement the Our Watch's Prevention Toolkit for Local Government so that they may be able to inform Council on how best to assist in helping its community end violence against women and children within our region.*

11.2. Hanson Construction Materials Ltd - White Rock Quarry (Cr Mark Osterstock)

1. *That the Chief Executive Officer, on behalf of Council, writes to Dr Paul Heithersay, Chief Executive Officer of the Department for Energy and Mining, requesting:*
  - a. *Details on the current status of Hanson Construction Materials Ltd (Hanson) White Rock Quarry (expansion) revised Mine Operations Plan (MOP) that was originally submitted on or about 23 December 2020.*
  - b. *Details and outcomes of any and all compliance order(s) that have been issued to Hanson since the subject MOP was submitted on or about 23 December 2020.*
  - c. *Details and outcomes of any and all compliance actions that the Environment Protection Authority have undertaken in respect to Hanson since the subject MOP was submitted on or about 23 December 2020.*
  - d. *Confirmation that the ultimate decision maker as to whether Hanson's MOP obtains approval is the Minister for Energy and Mining, the Honourable Tom Koutsantonis MP.*

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

12.1. Budget Review 2

1. *That the report be received and noted.*
2. *To adopt the proposed budget adjustments presented in the 2022-23 Budget Review 2 which result in:*
  - a. *No change to the Operating Surplus of \$830k for the 2022-23 financial year.*
  - b. *A reduction of \$8m in capital expenditure for the 2022-23 financial year to reflect estimated carry forwards relating to project delivery resulting in a revised capital expenditure budget for 2022-23 of \$19.369m.*
  - c. *Council's Net Borrowing Result for the 2022-23 financial year being reduced by \$8m to \$342k.*
  - d. *proposed financial sustainability indicators within Council's agreed targets of the following:*

<i>i. Operating Surplus Ratio</i>	<i>1.6%</i>	<i>(Target 1% to 5%)</i>
<i>ii. Net Financial Liabilities Ratio</i>	<i>47%</i>	<i>(Target 25% to 75%)</i>
<i>iii. Asset Renewal Funding Ratio</i>	<i>104%</i>	<i>(Target 95% to 105%)</i>

12.2. Draft 2023 – 24 Long Term Financial Plan for Consultation

1. *That the report be received and noted.*
2. *To adopt the Draft Long Term Financial Plan, as contained in Appendix 1 for community consultation in accordance with Section 122 of the Local Government Act 1999 noting the adherence to adopted financial sustainability ratios relating to Operating Surplus Ratio, Net Financial Liabilities Ratio and Asset Renewal Funding Ratio.*
3. *That the CEO be authorised to:*
  - a. *Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation, and*
  - b. *Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.*

12.3. Economic Development Plan Mid Term Review

1. *That the report be received and noted.*
2. *That no changes be made to the existing Economic Development Plan 2020-24.*

12.4. Parking and Road Safety Wattle Tree Road Bridgewater

1. *That the report be received and noted.*
2. *To implement the recommended signage improvements and vegetation trimming identified in the report, and to monitor the situation while managing parking as per normal operational practices.*

12.5. Coach Parking in Stirling

1. *That the report be received and noted.*
2. *That no further action relating to coach parking be taken at this time and that Council continues to work closely with local developers, Stirling Business Association and Adelaide Hills Tourism to promote and develop the Stirling main street as a sought after tourist destination.*

12.6. Status Report – Council Resolutions Update  
*Refer to Agenda Item*

**13. ADMINISTRATION REPORTS – INFORMATION ITEMS**

Nil

**14. QUESTIONS WITHOUT NOTICE**

**15. MOTIONS WITHOUT NOTICE**

**16. REPORTS**

- 16.1. Council Member Function or Activity on the Business of Council
- 16.2. Reports of Members/Officers as Council Representatives on External Organisations
- 16.3. CEO Report

**17. REPORTS OF COMMITTEES**

- 17.1. Council Assessment Panel  
*Nil*
- 17.2. Audit Committee - 20 February 2023  
*That the minutes of the Audit Committee meeting held on 20 February 2023 as supplied, be received and noted*
- 17.2.1. Special Audit Committee – 20 February 2023  
*That the minutes of the Special Audit Committee meeting held on 20 February 2023 as supplied, be received and noted*
- 17.3. CEO Performance Review Panel  
*Nil*
- 17.4. Boundary Change Committee  
*Nil*

**18. CONFIDENTIAL ITEMS**

*Nil*

**19. NEXT MEETING**

Tuesday 14 March 2023, 6.30pm, 63 Mt Barker Road, Stirling

**20. CLOSE MEETING**

## Council Meeting & Workshops 2023

DATE	TYPE	LOCATION	MINUTE TAKER
<b>MARCH 2023</b>			
Mon 6 March	Workshop	Woodside	N/A
Wed 8 March	CAP	Stirling	Karen Savage
Tues 14 March	Council	Stirling	Pam Williams
Tues 21 March	Professional Development	Stirling	N/A
Tues 28 March	Council	Stirling	Pam Williams
<b>APRIL 2023</b>			
Mon 3 April	Workshop	Woodside	N/A
Tues 11 April	Council	Stirling	Pam Williams
Wed 12 April	CAP	Stirling	Karen Savage
Mon 17 April	Audit	Stirling	TBA
Tues 18 April	Professional Development	Stirling	N/A
Wed 26 April <sup>*moved</sup> from ANZAC Day	Council	Stirling	Pam Williams
<b>MAY 2023</b>			
Mon 1 May	Workshop	Woodside	N/A
Tues 9 May	Council	Stirling	Pam Williams
Wed 10 May	CAP	Stirling	Karen Savage
Mon 15 May	Audit	Stirling	TBA
Tues 16 May	Professional Development	Stirling	N/A
Tues 23 May	Council	Stirling	Pam Williams

***Meetings are subject to change, please check agendas for times and venues. All meetings (except Council Member Professional Development) are open to the public.***

# Conflict of Interest Disclosure Form

**CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS**

Date: \_\_\_\_\_

**Meeting Name (please tick one)**

- |                              |                          |                           |                          |
|------------------------------|--------------------------|---------------------------|--------------------------|
| Ordinary Council             | <input type="checkbox"/> | Audit Committee           | <input type="checkbox"/> |
| Special Council              | <input type="checkbox"/> | Boundary Change Committee | <input type="checkbox"/> |
| CEO Performance Review Panel | <input type="checkbox"/> | Other: _____              | <input type="checkbox"/> |

**Item No**                      **Item Name:**  
 \_\_\_\_\_

(Only one conflict of interest entry per form)

I, Mayor / Cr \_\_\_\_\_ have identified a conflict of interest as:

**GENERAL**

**MATERIAL**

**GENERAL**

In considering a General Conflict of Interest (COI), an impartial, fair-minded person might consider that the Council Member’s private interests might result in the Member acting in a manner that is contrary to their public duty.

**MATERIAL**

In considering a Material Conflict of Interest (COI), a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if a class of persons as defined in s75(1)(a-l) in the Act would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

**The nature of my conflict of interest is as follows:**

(Describe the nature of the interest, including whether the interest is direct or indirect and personal or pecuniary)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**I intend to deal with my conflict of interest in the following transparent and accountable way:**

- I intend to **stay** in the meeting (please complete details below)
- I intend to **stay** in the meeting as exempt under s75A (please complete details below)
- I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

**The reason I intend to stay in the meeting and consider this matter is as follows:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(This section must be completed and ensure sufficient detail is recorded of the specific circumstances of your interest.)

**Office use only: Council Member voted FOR / AGAINST the motion.**



## 8. DEPUTATIONS

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*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au)*

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed, the following considerations will be taken into account:
  - the number of deputations that have already been granted for the meeting
  - the subject matter of the proposed deputation
  - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose
  - the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious)
  - the size and extent of the agenda for the particular meeting and
  - the number of times the deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

### 8.3 PUBLIC FORUM

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*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au)*

1. The public may be permitted to address or ask questions of the Council on a relevant and/or timely topic.
2. The Presiding Member will determine if an answer is to be provided.
3. People wishing to speak in the public forum must advise the Presiding Member of their intention at the beginning of this section of the meeting.
4. Each presentation in the Public Forum is to be no longer than five (5) minutes (including questions), except with leave from the Council.
5. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council.
6. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes may be reduced.
7. Any comments that may amount to a criticism of individual Council Members or staff must not be made. As identified in the Deputation Conduct section above, the normal laws of defamation will apply to statements made during the Public Forum.
8. Members may ask questions of all persons appearing relating to the subject of their presentation.